

# House File 500 - Introduced

HOUSE FILE \_\_\_\_\_  
BY ALONS, WATTS, KOESTER,  
HAGENOW, BAUDLER, TYMESON,  
SANDS, MAY, HELLAND, DE BOEF,  
HORBACH, GRASSLEY, DRAKE,  
KAUFMANN, and ANDERSON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act requiring voters to provide certain identification when  
2 voting in person at the polling place.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1830YH 83  
5 sc/nh/5

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1 1 Section 1. Section 48A.8, is amended by striking the  
1 2 section and inserting in lieu thereof the following:  
1 3 48A.8 REGISTRATION BY MAIL.  
1 4 An eligible elector may register to vote by completing a  
1 5 mail registration form. The completed form may be mailed or  
1 6 delivered by the registrant or the registrant's designee to  
1 7 the commissioner in the county where the person resides. A  
1 8 separate registration form shall be signed by each individual  
1 9 registrant.  
1 10 Sec. 2. Section 48A.26, Code 2009, is amended by adding  
1 11 the following new subsection:  
1 12 NEW SUBSECTION. 10. An acknowledgment mailed pursuant to  
1 13 subsection 2 or 4 shall include a statement informing the  
1 14 registered voter that the voter is required to show current  
1 15 and valid identification before the person will be allowed to  
1 16 vote, and that the identification must contain a photograph of  
1 17 the voter and a validity expiration date.  
1 18 Sec. 3. Section 48A.27, subsection 4, paragraph c,  
1 19 subparagraph (2), Code 2009, is amended to read as follows:  
1 20 (2) The notice shall contain a statement in substantially  
1 21 the following form:  
1 22 "Information received from the United States postal service  
1 23 indicates that you are no longer a resident of, and therefore  
1 24 not eligible to vote in (name of county) County, Iowa. If  
1 25 this information is not correct, and you still live in (name  
1 26 of county) County, please complete and mail the attached  
1 27 postage paid card at least ten days before the primary or  
1 28 general election and at least eleven days before any other  
1 29 election at which you wish to vote. If the information is  
1 30 correct and you have moved, please contact a local official in  
1 31 your new area for assistance in registering there. If you do  
1 32 not mail in the card, you may be required to show  
1 33 identification to prove residency before being allowed to vote  
1 34 in (name of county) County. If you do not return the card,  
1 35 and you do not vote in an election in (name of county) County,  
2 1 Iowa, on or before (date of second general election following  
2 2 the date of the notice) your name will be removed from the  
2 3 list of voters in that county. To ensure you receive this  
2 4 notice, it is being sent to both your most recent registration  
2 5 address and to your new address as reported by the postal  
2 6 service."  
2 7 Sec. 4. Section 48A.29, subsection 1, paragraph b, Code  
2 8 2009, is amended to read as follows:  
2 9 b. The notice shall contain a statement in substantially  
2 10 the following form:  
2 11 "Information received from the United States postal service  
2 12 indicates that you are no longer a resident of (residence  
2 13 address) in (name of county) County, Iowa. If this  
2 14 information is not correct, and you still live in (name of  
2 15 county) County, please complete and mail the attached postage  
2 16 paid card at least ten days before the primary or general

2 17 election and at least eleven days before any other election at  
2 18 which you wish to vote. If the information is correct, and  
2 19 you have moved, please contact a local official in your new  
2 20 area for assistance in registering there. If you do not mail  
2 21 in the card, you may be required to show identification to  
2 22 prove residency before being allowed to vote in (name of  
2 23 county) County. If you do not return the card, and you do not  
2 24 vote in some election in (name of county) County, Iowa, on or  
2 25 before (date of second general election following the date of  
2 26 the notice) your name will be removed from the list of voters  
2 27 in that county."

2 28 Sec. 5. Section 48A.29, subsection 3, paragraph b, Code  
2 29 2009, is amended to read as follows:  
2 30 b. The notice shall contain a statement in substantially  
2 31 the following form:  
2 32 "Information received by this office indicates that you are  
2 33 no longer a resident of (residence address) in (name of  
2 34 county) County, Iowa. If the information is not correct, and  
2 35 you still live at that address, please complete and mail the  
3 1 attached postage paid card at least ten days before the  
3 2 primary or general election and at least eleven days before  
3 3 any other election at which you wish to vote. If the  
3 4 information is correct, and you have moved within the county,  
3 5 you may update your registration by listing your new address  
3 6 on the card and mailing it back. If you have moved outside  
3 7 the county, please contact a local official in your new area  
3 8 for assistance in registering there. If you do not mail in  
3 9 the card, you may be required to show identification to prove  
3 10 residency before being allowed to vote in (name of county)  
3 11 County. If you do not return the card, and you do not vote in  
3 12 some election in (name of county) County, Iowa, on or before  
3 13 (date of second general election following the date of the  
3 14 notice) your name will be removed from the list of registered  
3 15 voters in that county."

3 16 Sec. 6. Section 49.77, subsection 3, Code 2009, is amended  
3 17 to read as follows:  
3 18 ~~3. a. A precinct election official shall require any~~  
3 19 ~~person whose name does not appear on the election register as~~  
3 20 ~~an active voter to show identification. Specific documents~~  
3 21 ~~which are acceptable forms of identification shall be~~  
3 22 ~~prescribed by the state commissioner.~~  
3 23 ~~b. 3. a. A precinct election official may shall require~~  
3 24 ~~of that the voter unknown to the official, identification upon~~  
3 25 ~~which the voter's signature or mark appears produce for~~  
3 26 inspection one of the following current and valid forms of  
3 27 identification if such identification contains the person's  
3 28 photograph and a validity expiration date:  
3 29 (a) An out-of-state driver's license or nonoperator's  
3 30 identification card.  
3 31 (b) A United States passport.  
3 32 (c) A United States military identification card.  
3 33 (d) An identification card issued by an employer.  
3 34 (e) A student identification card issued by an Iowa high  
3 35 school or an Iowa postsecondary educational institution.  
4 1 b. If identification is established to the satisfaction of  
4 2 the precinct election officials, the person may then be  
4 3 allowed to vote.

4 4 Sec. 7. Section 49.77, subsection 4, paragraph a, Code  
4 5 2009, is amended to read as follows:  
4 6 a. A precinct election official shall require any person  
4 7 whose name does not appear on the election register as an  
4 8 active voter to show identification to prove residency in the  
4 9 precinct. Specific documents which are acceptable forms of  
4 10 identification under this subsection shall be prescribed by  
4 11 rule by the state commissioner. A person whose name does not  
4 12 appear on the election register of the precinct in which that  
4 13 person claims the right to vote shall not be permitted to  
4 14 vote, unless the person affirms that the person is currently  
4 15 registered in the county and presents ~~proof of identity~~  
4 16 identification to prove residency, or the commissioner informs  
4 17 the precinct election officials that an error has occurred and  
4 18 that the person is a registered voter of that precinct. If  
4 19 the commissioner finds no record of the person's registration  
4 20 but the person insists that the person is a registered voter  
4 21 of that precinct, the precinct election officials shall allow  
4 22 the person to cast a ballot in the manner prescribed by  
4 23 section 49.81.

4 24 Sec. 8. Section 49.81, subsection 1, Code 2009, is amended  
4 25 to read as follows:  
4 26 1. A prospective voter who is prohibited under section  
4 27 ~~48A.8, subsection 4, section~~ 49.77, subsection 4, or section

4 28 49.80 from voting except under this section shall be notified  
4 29 by the appropriate precinct election official that the voter  
4 30 may cast a provisional ballot. If a booth meeting the  
4 31 requirement of section 49.25 is not available at that polling  
4 32 place, the precinct election officials shall make alternative  
4 33 arrangements to insure the voter the opportunity to vote in  
4 34 secret. The voter shall mark the ballot, fold it or insert it  
4 35 in a secrecy envelope as required by section 49.84, and  
5 1 immediately seal it in an envelope of the type prescribed by  
5 2 subsection 4. The voter shall deliver the sealed envelope to  
5 3 a precinct election official who shall deposit it in an  
5 4 envelope marked "provisional ballots". The ballot shall be  
5 5 considered as having been cast in the special precinct  
5 6 established by section 53.20 for purposes of the postelection  
5 7 canvass.

5 8 Sec. 9. Section 53.38, Code 2009, is amended to read as  
5 9 follows:

5 10 53.38 WHAT CONSTITUTES REGISTRATION.

5 11 Whenever a ballot is requested pursuant to section 53.39 or  
5 12 53.45 on behalf of a voter in the armed forces of the United  
5 13 States, the affidavit upon the affidavit envelope of such  
5 14 voter, if the voter is found to be an eligible elector of the  
5 15 county to which the ballot is submitted, shall constitute a  
5 16 sufficient registration under chapter 48A. A completed  
5 17 federal postcard registration and federal absentee ballot  
5 18 request form submitted by such eligible elector shall also  
5 19 constitute a sufficient registration under chapter 48A. The  
5 20 commissioner shall place the voter's name on the registration  
5 21 record as a registered voter if it does not already appear  
5 22 there. ~~The identification requirements of section 48A.8 and~~  
5 23 ~~the verification requirements of section 48A.25A do not apply~~  
5 24 to persons who register to vote under this division.

5 25 EXPLANATION

5 26 This bill requires that all voters show current and valid  
5 27 identification before being allowed to vote at the polls.  
5 28 Correspondingly, the bill strikes the requirement that certain  
5 29 persons who register by mail and who have not previously voted  
5 30 in a federal election in the county of registration must show  
5 31 identification when voting for the first time in the county at  
5 32 an election with federal offices on the ballot.

5 33 The bill further provides that the current and valid  
5 34 identification is the same forms of identification required  
5 35 for election day and in-person absentee registrants if such  
6 1 identification contains a photograph of the voter and the  
6 2 validity expiration date of the identification.

6 3 The bill also specifies that the requirement in current law  
6 4 that a voter show identification if the voter's name does not  
6 5 appear on the election register or if the voter did not  
6 6 respond to a confirmation card sent by the county commissioner  
6 7 of elections is required in order to establish residency in  
6 8 the precinct. Current law provides that the secretary of  
6 9 state shall provide, by rule, the acceptable forms of  
6 10 identification in these circumstances.

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